

REMARKS

Claims 1-37 were pending in the application. By this amendment, claims 3 and 21 are canceled, therefore, claims 1, 2, 4-20, and 22-37 are at issue. The August 20, 2004 Office action rejected claims 1-5, 11-16, 19-23 and 29-35 under 35 U.S.C. §102(a) as being anticipated by applicants' admitted prior art, rejected claims 7, 9-10, 18, 25, 27-28 and 37 under 35 U.S.C. §103(a) over applicants' admitted prior art in view of Wiorek et al. (United States Patent No. 6,108,550) and rejected claims 8, 17, 26 and 36 under 35 U.S.C. §103(a) over applicants' admitted prior art in view of Yamada et al. (United States Patent No. 6,011,960). The applicants respond as follows.

SECTION 102(e) REJECTION

The examiner alleges that the applicants' admitted prior art anticipates the claims 1-5, 11-16, 19-23 and 29-35. The applicants respectfully traverse and request reconsideration. The applicants' admitted prior art does not teach or suggest that the transmission via a first communication resource is terminated in response to a trigger event.

Independent claims 1 and 19 have been amended to correspond to language in independent claims 11 and 30. Each of the independent claims now recites terminating transmission of mobile information via a first communication resource of the reverse link in response to a trigger event.

A statement in the "Background" section of the instant application cited by the examiner recites that the reverse fundamental channel is used primarily for transmission of traffic information. However, it is improper to extend the statement that a reverse fundamental channel is used primarily for transmission of traffic information into a reference that transmission of mobile information is terminated in response to a trigger event (see examiner's rejection of claim 3, Office action, page 3). The reverse fundamental channel may be used for more than traffic, i.e. embedded control information (application page 2, line 5), but that does not teach or suggest that traffic on the reverse fundamental channel is terminated for any reason, much less in response to a trigger.

Because the applicants' admitted prior art does not teach or suggest terminating transmission of mobile information via a first communication resource of the

reverse link in response to a trigger event, the applicants' admitted prior art does not anticipate independent claims 1, 11, 19 and 30. Therefore, the rejection under 35 U.S.C. §102(a) should be withdrawn. Since each of the independent claims 1, 11, 19 and 30 are allowable, their respective dependent claims 1, 2, 4-10; 12-18; 20, 22-29; and 31-37 are also allowable.

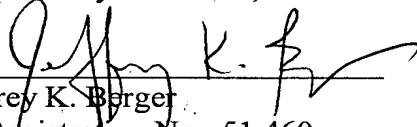
SECTION 103(a) REJECTIONS

As discussed above, the applicants' admitted prior art does not teach or suggest each element of the independent claims of the application. Since neither Wiorek nor Yamada supply the necessary teaching regarding termination of transmission of mobile information in response to a trigger, there is no combination of Wiorek, Yamada and the applicants' admitted prior art that teaches all the limitations of the independent claims 1, 11, 19 and 30. Therefore, all the claims at issue, 1, 2, 4-20, 22-37 are allowable and the rejections under 35 U.S.C. §103(a) should be withdrawn.

In view of the above amendments and arguments, the applicants believe the pending application is in condition for allowance. No fees are believed due but should a fee be required, the Commissioner is directed to deposit account 13-2855.

Dated: November 10, 2004

Respectfully submitted,

By 
Jeffrey K. Berger

Registration No.: 51,460

MARSHALL, GERSTEIN & BORUN LLP

233 S. Wacker Drive, Suite 6300

Sears Tower

Chicago, Illinois 60606-6357

(312) 474-6300

Agent for Applicant